

FILED BY *[Signature]* D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE *05 DEC 12 PM 1:51*
EASTERN DIVISION

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE
MEMPHIS

John Connell and Lucy Connell,)
Plaintiffs,)
v.)
Webb Realty, Inc.; Jules Nance;)
Anna Webb; Billy N. Webb, Jr.;)
James N. Mays; Kay W. Mays;)
and Dianne Moore,)
Defendants.)
)
No. 03-1012 T/An

ORDER TAXING COSTS

Defendants Webb Realty, Inc. ("Web Realty"); Jules Nance; Anna Webb; and Billy N. Webb, Jr., prevailing parties in the above-captioned action under Judgment entered June 8, 2005 in favor of said Defendants, filed their Bill of Costs, pursuant to Fed. R. Civ. P. 54(d) and 28 U.S.C. §1920, on June 10, 2005 in the sum of \$2,366.56, seeking reimbursement from Plaintiffs John Connell and Lucy Connell. Defendants James N. Mays and Kay W. Moore, prevailing parties in the above-captioned action under Judgment entered June 8, 2005 in favor of said Defendants, filed their Bill of Costs, pursuant to Fed. R. Civ. P. 54(d) and 28 U.S.C. §1920, on June 14, 2005 in the sum of \$1,098.70, seeking reimbursement from Plaintiffs John Connell and Lucy Connell. Defendant Dianne Moore, a prevailing party in this action, under Judgment entered June 8, 2005 in favor of said Defendant, filed her Bill of Costs, pursuant to Fed. R. Civ. P. 54(d) and 28 U.S.C. §1920, on June 30, 2005 in the sum of \$1,295.09, seeking reimbursement from Plaintiffs John Connell and Lucy Connell.

Pursuant to notice sent to all counsel on August 18, 2005, the Clerk of Court held a hearing to assess the taxation of costs in the above-captioned matter on September 1, 2005 at 11:00 AM at the Clerk's Office in Jackson, Tennessee. The following counsel appeared at this hearing and/or submitted written responses to this request for costs.

1. J.C. Cox for Plaintiffs John and Lucy Connell;
2. Brandon O. Gibson for Defendants James and Kay Mays;
3. Amber A. Edwards for Defendant Dianne Moore; and
4. John D. Stevens for Defendant Webb Realty.

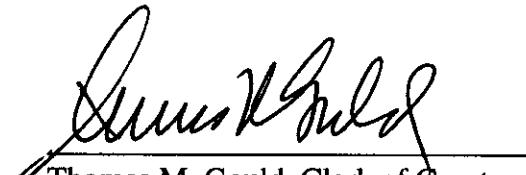
Counsel reviewed all of the charges claimed in this case and, subject to the delivery from counsel to the Clerk of correspondence confirming the billing process used in this case (which correspondence has been received from all three defense counsel), the parties agreed that costs assessed at \$1,295.09; \$1,098.70; and \$2,366.56, against Plaintiffs were proper as to the amount and categories of expenses claimed.

Upon the above documentation and discussions of counsel, therefore, the Clerk of Court assesses costs against Plaintiffs pursuant to Judgment entered on June 8, 2005 in the following amounts:

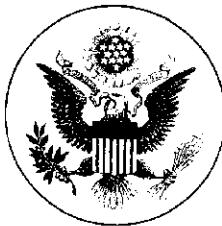
1. In favor of Defendant Dianne Moore, Plaintiff is taxed costs in the sum of \$1,295.09 as submitted in Defendant's Bill of Costs;
2. In favor of Defendant James and Kay Mays, Plaintiff is taxed costs in the sum of \$1,098.70 as submitted in Defendants' Bill of Costs; and
3. In favor of Defendant Webb Realty, Inc., Plaintiff is taxed costs in the sum of \$2,366.56 as submitted in the Defendant's Bill of Costs.

Pursuant to Local Rule 54.1, taxation of costs by the Clerk of Court may be reviewed by the Court upon motion, which must be served within five (5) days following the docketing of this Order.

Dated: December 12, 2005.



Thomas M. Gould, Clerk of Court



Notice of Distribution

This notice confirms a copy of the document docketed as number 185 in case 1:03-CV-01012 was distributed by fax, mail, or direct printing on December 12, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT